

REMARKS

This Response is submitted on November 17, 2006. Claims 1-19, 21-23, and 25-37 were rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,385,586 by Dietz in view of U.S. Patent No. 6,901,360 by Dymetman et al. Claims 1-19, 21-23, and 25-37 are pending after entry of the present Response. Reconsideration is respectfully requested.

Examiner Communications:

After several attempts to reach the Examiner, the Examiner's supervisor, Mr. Najjar, was contacted on November 13, 2006. In the telephone communications with Mr. Najjar held between November 13, 2006 and November 15, 2006, a discussion was had with regard to limitations present in the claims, which were not addressed in the Office Action of August 22, 2006. Specifically, it was communicated to Mr. Najjar that the claims included a negative limitation, which define the applied expression as one that *does not* perform language translation. It was also communicated to Mr. Najjar that the newly applied reference of Dymetman is also explicitly directed to *language translation*. Mr. Najjar indicated that he would review the file and determine why this limitation was not considered. No reply from Mr. Najjar was received in time to be incorporated into a response, which has a timely due date of November 22, 2006. As resolution was not reached in communications with the Examiner or the Supervisor, the Applicant is providing the following response, addressing the deficiencies of the cited art.

Rejections under 35 U.S.C. § 103(a)

Claims 1-19, 21-23, and 25-37 were rejected under 35 USC § 103(a) over Dietz in view of Dymetman. The Examiner contends that the combination of Dietz in view of Dymetman teach all aspects of Applicant's claimed invention. Applicant respectfully submits

that there is no motivation to combine Dietz and Dymetman. Applicant also argues that the Examiner's combination of references fundamentally changes the operation of Dietz. It is also submitted that an important difference exists between the claimed use of "expression", and an "expression" as defined in Dymetman. Furthermore, Applicant maintains that neither Dietz nor Dymetman teach the application of an expression not performing language translation. In view of the following arguments, this rejection is respectfully traversed.

Dietz teaches the use of a first device, a mobile device, communicating with a second device, a server, in order to perform language translations. The Examiner states that Dietz fails to teach outputting the converted data as audio data from the second computer and that Dymetman cures this deficiency of Dietz. However, it is Applicant's assertion there is no motivation to combine Dietz and Dymetman. The server of Dietz is analogous to Applicant's second computer. However, Dietz states that the servers reside in server/data processing unit storage locations (Column 5, Lines 56-61). With servers located in a storage location it seems that there would be little motivation, or reason, to audibly output the converted text as audio output where there maybe no one present to hear it.

Even assuming there was motivation to combine the references, Dietz already discloses the handling of audio output, "Outputting in audio form requires a text-to-voice application 211 which converts the desired language text into an audio output *for sending to I/O device 210.*" (Column 6, Lines 4-7). Dietz, even in light of Dymetman, is principally concerned with outputting language translation from the first computer. Therefore, the Examiners proposed combination of Dietz and Dymetman to produce audible sound output from the second computer would fundamentally alter the principle of operation of Dietz. Where the Examiner wishes to produce audible sound from Dietz's second computer, Dietz explicitly states that audible sound data is to be sent to the I/O device, or first computer. Because Dietz teaches something entirely different than the Examiner's proposed

combination, it is conceivable that a person of ordinary skill in the art would be discouraged from combining Dietz and Dymetman.

Applicant also would like to emphasize the difference between the claimed "an expression to be applied to the content data", and "expression" as used in Dymetman. Dymetman states, "The first expression 111 comprises a plurality of words in the first language." (Column 9, Lines 32-33). Dymetman further explains that, "From the second plurality of representation 171, 172 and 173 one or more appropriate representations may be selected to obtain the second expression 181 in the second language." (Column 10, Lines 9-12). It is clear from these statements that Dymetman is using "expression" to define sentences and Dymetman's "expression" may be considered analogous to Applicant's "content data". Thus, Dymetman never teaches *applying an expression* to the content data.

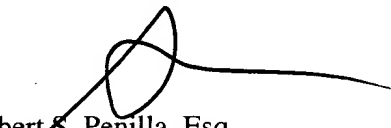
It is also noted that neither Dietz nor Dymetman teach, "the applied expression not performing language translation" because both references are explicitly concerned with language translation. Dietz is titled, "Speech recognition text-based language conversion and text-to-speech in a client-server configuration to enable *language translation* devices". In the summary of the invention, "...it is the primary object of the present invention to provide an improved method and an improved system that provides more reliable *translation* at a reduced cost in terms of computation." Furthermore, it is noted that neither Dietz nor Dymetman teach, "the applied expression not performing language translation but including at least one of character gender, character condition, and character environment" as claimed in independent claim 10.

Although Applicant has amended the claims to cover a specific embodiment with a negative limitation excluding language translation and made arguments specific to the claimed invention, the limitations and arguments are specific to this application and should not be considered limiting to any continuation application. Applicant reserves the right to file

a continuation application with claims directed to other aspects disclosed in the specification of the present application, at a later time, if so desired.

In view of the foregoing arguments in the present Response, Applicant believes the application is now in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Response, the Examiner is kindly requested to contact the undersigned at (408) 774-6903. If any other fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805. (Order No. SONY009). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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